IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2999 OF 2007
IN
APPEAL (L) NO.607 OF 2007
IN
SUIT NO.2504 OF 1984

Sanjay Sampatraj Jain & Anr. .. Appellants
V/s
State of Maharashtra .. Respondent

Mr.R.N.Kachare for the Appellants.
Mr.G.W.Mattos, AGP for Respondent No.1.

CORAM : DR.S.RADHAKRISHNAN, &
ANOOP V.MOHTA, JJ.

DATE : 7th December, 2007.

P.C.:

1. Heard the learned Counsel for the Appellants and the learned AGP for Respondent No.1. Both the learned Counsel state that for the purpose of disposal of this Appeal the presence of Respondent No.2 is not necessary. Hence the name of Respondent No.2 stands deleted from this Notice of Motion.

2. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein, sufficient cause is made out for condoning the delay caused in filing the Appeal. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence the Notice of Motion is made absolute in terms of prayer clause (a). The learned Counsel for the Appellants undertakes to get the Appeal numbered within a period of two weeks from today.

(ANOOP V.MOHTA, J.) **(DR.S.RADHAKRISHNAN, J.)**